

Attachment D. Wetlands code comparison.

City of Shoreline	Edmonds CAO (w/2015 Draft Updates)	Issaquah CAO	Burien CAO (w/2015 Draft Updates)	Dept. of Ecology Example CAO	Notes: Best Available Science and other precedents.
Wetland Classification Existing Code: Four categories based on sized and vegeation class. Type I Type II Type III Type IV	Draft Code: Four categories to be updated for consistency with DOE Rating System. Category I Category II Category III Category IV	Existing Code: Based on DOE Rating System. Category I Category II Category III Category IV	Draft Code: Four categories to be updated for consistency with DOE Rating System. Category I Category II Category III Category IV	Based on <i>Wetlands Guidance for Small Cities - Western Washington Version, Appendix A-Sample Wetlands Chapter</i> , Updated October 2012. Category I Category II Category III Category IV	<ul style="list-style-type: none">In general, all jurisdictions in Washington are adopting the 4- tiered system developed by DOE, typically with slight modification.City of Shoreline adopted wetland regulations consistent with DOE system in the Shoreline Master Program in 2013.
Wetland Buffers Existing Code: Type I - 115-150 ft Type II - 75-115 ft Type III - 35-65 ft Type IV - 25-35 ft Range is from standard buffer with reduction down to minimum allowed when buffer mitigation is proposed.	Draft code: to be updated for consistency with DOE buffer guidance. Category I – 75-225 ft Category II – 75-225 ft Category III – 60-225 ft Category IV – 40 ft Category IV less than 1,000 SF may be exempted from avoidance if criteria are met. Range is based on habitat score of wetland. Building Setback from out edge of buffer - 15 ft Provsions for buffer reductions with vegetation enhancement and limitations on how buffer is reduced.	Existing code: based on DOE buffer guidance. Category I – 75-225 ft Category II – 75-225 ft Category III – 50-110 ft Category IV >2,500 SF– 40 ft Category IV less than 2,500 SF - 0 ft Category IV less than 2,500 SF may be altered if mitigation demonstrates no net loss of function and value. Range is based on habitat score of wetland. Building Setback from out edge of buffer - 15 ft Reduction of up to 25% allowed with vegetation enhancement.	Draft code: to be updated for consistency with DOE buffer guidance. Category I – 75-225 ft Category II – 75-225 ft Category III – 60-225 ft Category IV – 40 ft Category III and IV less than 1,000 SF may be exempted from avoidance if criteria are met. Range is based on habitat score of wetland. Building Setback from out edge of buffer - 15 ft Reduction of up to 25% allowed with vegetation enhancement.	Alternative 1: Category I – 300 ft Category II – 300 ft Category III – 150 ft Category IV – 50 ft Alternative 2: Combines cagetory with intensity of adjacent use for buffers with resulting ranges of Category I - 200-300 ft Category II - 100-200 ft Category III - 50-100 ft Category IV - 3550 ft Alternative 3: Combines category, function scores and intensity of proposed landuse for buffers with resulting ranges of: Category I – 50-300 ft Category II – 50-300 ft Category III – 40-150 ft Category IV – 25-50 ft	<ul style="list-style-type: none">“Intensity” classification for wetland buffers in DOE Example Code Alternative 2 refers to “land use intensity.” Numerous jurisdictional precedents reflect an opposite correlation between regulated buffer widths and “intensity” of land use: i.e., buffers are typically reduced in size in urban, built-out jurisdictions to accommodate existing development and land uses.Almost all uses proposed within the City of Shoreline fall in the the High Intensity classification for landuses adjacent to wetlands. Comparable Cities use the example code for small cities that combines category with habitat score.Many jurisdictions include details on wetland buffer reduction or averaging when accompanied with vegetation enhancement of the remaining buffer area. The DOE example code does not include measures for buffer reduction except where standard buffers would deny reasonable use or averaging would improve wetland protection. BAS supports buffer averaging with buffer enhancement and no less than 25 percent reduction through buffer averaging, unless reasonable use would be denied.

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Wetland Mitigation Existing Code: Creation Replacement Ratios Type I - 6:1 Type II - 3:1 Type III - 2:1 Type IV- 1.5:1 Enhancment Ratios Type I - 16:1 Type II - 12:1 Type III - 8:1 Type IV- 6:1	Draft code: to be updated based on DOE mitigation guidance, with modification. Creation/Re-establishment ratios Category I - 4:1 Category II - 3:1 Category III - 2:1 Category IV - 1.5:1 Rehabilitation only Category I - 8:1 Category II - 6:1 Category III - 4:1 Category IV - 3:1 Enhancement only Category I - 16:1 Category II - 12:1 Category III - 8:1 Category IV - 6:1	Existing Code based on DOE mitigation guidance with modificaiton: Creation/Re-establishment ratios Category I - 6:1 to not allowed Category II - 3:1 Category III - 2:1 Category IV, >2,500 SF - 1.5:1 Rehabilitation only Category I - 6:1 to 12:1 Category II - 6:1 Category III - 4:1 Category IV, >2,500 SF - 3:1 Additional standards for combinations of Creation or Re-establishment and Rehabilitation or Enhancement. Category IV, <2,500 SF alteration allowed in wetland if mitigation provided consistent	Draft code: to be updated based on DOE mitigation guidance, with modification. Creation/Re-establishment ratios Category I - 4:1 Category II - 3:1 Category III - 2:1 Category IV - 1.5:1 Rehabilitation only Category I - 8:1 Category II - 6:1 Category III - 4:1 Category IV - 3:1 Enhancement only Category I - 16:1 Category II - 12:1 Category III - 8:1 Category IV - 6:1	Creation/Re-establishment ratios Category I - 6:1 to not allowed Category II - 3:1 Category III - 2:1 Category IV - 1.5:1 Rehabilitation only Category I - 8:1 to case by case Category II - 6:1 Category III - 4:1 Category IV - 3:1 Enhancement only Category I - 16:1 to case by case Category II - 12:1 Category III - 8:1 Category IV - 6:1	<ul style="list-style-type: none">DOE's Example Code Provisions stipulates mitigation ratio increases when: (a) uncertainty about potential success exists; (b) a significant period of time is expected before wetland functioning recovers; (c) mitigation results in a lower category wetland or diminished functions; and (d) wetland impacts were not authorized.

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Wetlands – Permitted Uses Existing code: Exempt activities listed with limited impacts to critical areas. Type I - alteration prohibited subject to the resonable use and sepecial use provisions. Type II, III, and IV - Alterations must be mitigated with no net loss of wetland function and value. Stormwater facilities allowed in buffer if demonstrated that it is benifical to the wetland.	Existing code with minor revisions: Allowed activities listed with minimal impacts to critical areas or restoration activities of limited scope. Category I - prohibited except as allowed in public agency and utilities, reasonable use and variance sections. Category II - water dependant uses allowed with no advers impact, non-water dependant uses prohibited except where cannot be avoided. Category III and IV-unavoidable and necessary impacts allowed with critical area report and mitigation plan.	Existing code: Allowed activities listed with minimal impacts to critical areas or restoration of limited scope. Some require land use permit to demonstrate best practies are being followed. Allowances for sewer corridors where not alternative exists.	Sewer utility corridors may be allowed in certain wetlands and stormwater facilities are allowed consistent with requirements based upon wetland category.	Stormwater management facilities, limited to stormwater dispersion outfalls and bioswales, may be allowed within the outer 25% of the buffer of Category 3 and 4 wetlands only provided that: no other location is feasible; and, facilities do not degrade the function and values of such wetlands.	<ul style="list-style-type: none">Jurisdictions incorporating BAS generally allow specific low impact uses to occur in wetlands or their buffers if criteria are met, sometimes with a permit or critical area report to suppor to demonstrate compliance.<input type="checkbox"/> New requirements to facilitate Low Impact Development design for stormwater management have led Cities to allow for placement of stormwater facilities within the wetland buffers where benfit to the wetland can be demonstrated.